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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,085	03/26/2001	Johannes Andreas Zaat	NL 000160	9828

24737 7590 06/24/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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PERRY, ANTHONY T

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/817,085

Applicant(s)

ZAAT ET AL.

Examiner

Anthony T. Perry

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-12 is/are rejected:
- 7) ☒ Claim(s) 6-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

The Amendment, filed on 4/13/05, has been entered and acknowledged by the Examiner.

### ***Claim Objections***

The term "approximately equal to" in claim 6 is not defined by the claim, and the specification does not provide a standard for ascertaining the requisite degree. Further, the Examiner notes that the term "approximately equal to" includes a range higher than the melting temperature of the material of the shell portion of the lamp cap. Depositing an alloy with a temperature higher than the melting temperature of the material of the shell portion of the lamp cap would defeat the purpose of the invention. For purposes of Examination the Examiner has interpreted the term "approximately equal to" to be within the range of less than 15% of the melting temperature of the material of the shell portion of the lamp cap.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 recites, "depositing a discreet solidified connection body of the alloy, comprising a limited volume of material at a temperature approximately equal to the melting temperature of the material of the shell portion of the lamp cap." The Examiner does not understand how the alloy can be a solid if its temperature is higher approximately equal to the melting point of the lamp cap.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGinley (US 1,650,289) in view of Timsit (US 5,190,596).

Regarding claims 6-12, the McGinley reference discloses a method of manufacturing an electric lamp in Figs. 1 and 2 wherein a lamp cap having an electric contact member (21) is provided and a current supply conductor (15) is positioned at the electric contact member (21). McGinley teaches depositing a discreet solidified connection body (26) of a limited volume at the current supply conductor (15) and the electric contact member (21). McGinley does not specifically state what type of metal the contact member of the lamp cap is made of. However, it is well known in the art to use lamp caps made of relatively inexpensive aluminum. McGinley does not specifically state what type of soldering material is selected for the solidified connection body (26).

However, the background section of the Timsit reference discloses that a eutectic mixture of aluminum with an additive of about 12.5% by weight of silicone is an excellent well known brazing alloy for joining aluminum to metal surfaces (col. 1, lines 11-28). Accordingly, one of ordinary skill in the art would have found it obvious to have selected such a well known soldering alloy as disclosed by Timsit as the discreet solidified connection body of the McGinley reference so as to provide a secure reliable joint for connecting the supply conductors to their

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respective contact members. By using such a brazing alloy only the surfaces of the members being connected are parts of the integrally formed brazed junctions since the brazing alloy has a melting point lower than aluminum. In the combined invention the discrete connection body and a surface of the contact member, and a different portion of discrete connection body and a surface of the supply conductor are parts of integrally formed brazed junctions. Tismit teaches that for assured selective melting of only the brazing alloy in the heating step, the temperature at which joining takes place is controlled to at least 30° lower (considered to be "approximately equal to") than that of the parts being connected by ensuring that the melting point of the brazing alloy be at least 30° to 40° C lower than that of the metal of the components (see col. 1, lines 26).

### ***Response to Arguments***

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Anthony Perry* whose telephone number is (571) 272-2459. The examiner can normally be reached between the hours of 9:00AM to 5:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-24597. **The fax phone number for this Group is (703) 872-9306.**

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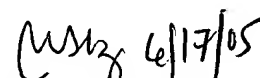
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [Anthony.perry@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Anthony Perry  
Patent Examiner  
Art Unit 2879  
June 16, 2005



Mariceli Santiago  
Primary Examiner  
Art Unit 2879